

ORIGINAL

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

SBC TECHNOLOGY RESOURCES, INC.,)

Plaintiff,)

vs.)

INRANGE TECHNOLOGIES CORP.,)

ECLIPSY'S CORP., and)

RESOURCE BANCSHARES)

MORTGAGE GROUP, INC.,)

Defendants.)

U.S. DISTRICT COURT NORTHERN DISTRICT OF TEXAS FILED
FEB 1 2005
CLERK, U.S. DISTRICT COURT By _____ Deputy

HONORABLE David C. Godbey

CIVIL ACTION NO. 3:03-CV-418-N

SBC'S MOTION TO
(1) EXCLUDE EXPERT TESTIMONY AND
(2) GRANT SUMMARY JUDGMENT ON
INRANGE'S INVALIDITY AND LACHES DEFENSES

SBC Technology Resources, Inc. ("SBC") moves to (1) exclude expert testimony, and (2) grant summary judgment on Inrange's invalidity and laches defenses. The accompanying brief sets forth SBC's contentions of fact and law, and argument and authorities.

Pursuant to Local Rule 7.1(a), Frank Angileri (counsel for SBC) made several unsuccessful attempts to discuss this motion with Kevin Conneely (counsel for Inrange). In response to SBC's letters regarding the exclusion of Inrange expert testimony, Mr. Conneely indicated his opposition to the motion and stated "we will explain our position to the Court." (App. 96.)

Respectfully submitted,

By:



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Dated: February 1, 2005

CERTIFICATE OF SERVICE

I certify that I served:

**SBC'S MOTION TO
(1) EXCLUDE EXPERT TESTIMONY AND
(2) GRANT SUMMARY JUDGMENT ON
INRANGE'S INVALIDITY AND LACHES DEFENSES
and BRIEF IN SUPPORT THEREOF**

on February 1, 2005 by:

delivering (via facsimile)

mailing (via First-Class mail with exhibits)

a copy to:

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